

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

NICOLE JENNINGS WADE, )  
JONATHAN D. GRUNBERG, G. )  
TAYLOR WILSON, )  
 )  
Plaintiffs, )  
v. ) CIVIL ACTION  
 ) FILE NO. 1:22-CV-01073-MLB  
 )  
L. LIN WOOD, )  
 )  
Defendant. )  
\_\_\_\_\_ )

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BEFORE THE HONORABLE MICHAEL L. BROWN  
TRANSCRIPT OF PROCEEDINGS  
AUGUST 17, 2022  
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APPEARANCES:

For the Plaintiff: ANDREW BEAL  
Attorney at Law  
For the Defendant: R. CHRIS HARRISON  
Attorney at Law

Proceedings recorded by mechanical stenography  
and computer-aided transcript produced by

JANA B. COLTER, FAPR, RDR, CRR, CRC  
Official Court Reporter  
1949 U.S. Courthouse  
75 Ted Turner Drive, SW  
Atlanta, Georgia 30303  
(404) 215-1456

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

1 (Atlanta, Fulton County, Georgia, August, 17, 2022, in  
2 open court.)

3 - - -  
4 P R O C E E D I N G S  
5 - - -

6 THE COURT: All right. Good morning.

7 We are here for a hearing in *Wade v. Wood*.

8 May I have appearances starting with counsel for the  
9 plaintiff?

10 MR. BEAL: Drew Beal for plaintiffs, Wade, Grunberg &  
11 Wilson, Your Honor. Good morning.

12 THE COURT: Good morning.

13 And for the defendant?

14 MR. HARRISON: Good morning, Your Honor.

15 Chris Harrison for the defendant, Lin Wood.

16 THE COURT: All right. Mr. Beal, I think it's the  
17 first time we've been together.

18 MR. BEAL: That's correct, Your Honor.

19 THE COURT: I have had a couple of things with your  
20 partner, but I don't think I have had anything with you since  
21 I've been here. Mr. Beal was my older brother's English  
22 teacher.

23 MR. HARRISON: Okay.

24 THE COURT: At Marist; isn't that right?

25 MR. BEAL: That's right. For four years before I

1     went to law school.

2             THE COURT:   Yes.   I think you maybe left before I got  
3     to the grade you taught.

4             MR. BEAL:   Yeah, I started with sophomores, so yeah.

5             THE COURT:   I think you taught David, but I think you  
6     left before I became a sophomore.

7             MR. BEAL:   Yeah, because I left in '83.

8             THE COURT:   Yeah, that sounds about right.   Well, at  
9     any rate, good.   It's nice to see you.

10            MR. BEAL:   So if we have any semicolon questions, I  
11     want everybody to defer to me.

12            Can we agree on that?

13            THE COURT:   All right.   So I have looked at the  
14     planning report that you-all filed.   It looks like that is the  
15     basis for your dispute.

16            Does anybody want to talk me through it?   I mean, is  
17     it really just as simple as how much time you-all need to do  
18     discovery?

19            MR. BEAL:   Your Honor, we contend that there is no  
20     dispute about anything but time for discovery, and I'm  
21     prepared to address that.   We didn't say there was a dispute  
22     on anything, the defendant did.

23            THE COURT:   Right.

24            MR. BEAL:   And I thought it was mainly about the way  
25     they would be required to produce electronic communications,

1 specifically Telegram posts. That's what I thought we were  
2 here to argue about. But also, perhaps, timing, so I'll let  
3 counsel go and then I'll respond.

4 THE COURT: Sure. I'd like to get as many things  
5 cleared out as we can and get you-all moving forward.

6 MR. BEAL: Thank you, Your Honor.

7 THE COURT: Has discovery started? I know you  
8 thought it started on the 2nd of July, I think, and I believe  
9 they thought it started late July. But are you-all into  
10 discovery now?

11 MR. HARRISON: We are, written discovery has been  
12 propounded to us and we've actually got some depositions that  
13 I think are on the books.

14 THE COURT: Good.

15 MR. HARRISON: So we are moving, Your Honor.

16 And just so the Court know, Mr. Beal and I have  
17 worked together before --

18 THE COURT: Great.

19 MR. HARRISON: -- one particularly crazy case that we  
20 got resolved, so I don't anticipate any problems between  
21 counsel.

22 THE COURT: Okay.

23 MR. HARRISON: But we did have it run from July 27th,  
24 which was 30 days from our answer. I don't know that that's a  
25 major issue for the parties, but we probably want the Court to

1 set a start date at some point, if that's all right.

2 THE COURT: Okay.

3 MR. BEAL: Well, we've agreed that we're going to  
4 adopt his timetable for the response time, for the written  
5 discovery, so that's coming up in about a week or two. And so  
6 that -- that issue will be resolved and we have set the  
7 depositions of two of the three plaintiffs, the other is on  
8 vacation, so we'll do that tomorrow.

9 THE COURT: Okay. All right. So what is it you-all  
10 wanted to talk about?

11 MR. HARRISON: So I think maybe working from the back  
12 end on the ESI issue, Your Honor.

13 THE COURT: Sure.

14 MR. HARRISON: I think there probably is not much of  
15 a dispute or a dispute. I think Drew is probably right.

16 I will advise the Court that I certainly have not  
17 looked at all of the documents and I'm coming into this  
18 suit -- there's a separate pending suit in the Superior Court  
19 of Fulton County, Judge Glanville, that's part of our ask for  
20 additional time.

21 But in regard to specifically Telegram posts that may  
22 need to be produced from my client to the plaintiffs, I talked  
23 with Mr. Beal's associate, I just want to make sure that --  
24 and this may be overkill, Your Honor, but that we don't have  
25 the capability, as I understand it, Mr. Wood does not have, to

1 produce those posts in native format, or near native, he  
2 certainly has the ability to make a copy of it and produce it,  
3 so...

4 THE COURT: Essentially a screenshot?

5 MR. HARRISON: Yes, Your Honor, I think so. Now, I  
6 think there were -- and I'll let Mr. Beal speak to it -- some  
7 issues with the production in the Fulton County suit, but I  
8 think we can work through that. I just wanted to make sure  
9 that we got that out in the open that in terms of Telegram  
10 administrators and those sorts of people, I don't have any  
11 contact or ability to handle that, but whatever is posted, if  
12 he can pull it up, we'll produce it.

13 THE COURT: Right. But isn't that all that you can  
14 do? I mean, you can only give what you can get.

15 MR. HARRISON: That's our position, Your Honor.

16 THE COURT: Is there an issue there that I'm missing?

17 MR. BEAL: Your Honor, with the Court's permission, I  
18 wanted to give the Court a couple of printouts from Telegram.

19 THE COURT: Sure.

20 MR. BEAL: Telegram what's called a bot, which  
21 your Honor knows what that is. It is basically an app and you  
22 go on and you click on it and it is a two-step process, and it  
23 will download all of your posts and responses in that medium  
24 and put it in a separate download on your computer.

25 THE COURT: Do you know about this process?

1           MR. HARRISON: I do not. And, Your Honor, if that is  
2 correct, I'm sure it is, and we have that capability, we'll do  
3 it.

4           THE COURT: Okay.

5           MR. HARRISON: Yeah.

6           MR. BEAL: And so I've got printouts. And I thought  
7 I had three, but of course I only have two, so that's a bit of  
8 a problem.

9           THE COURT: Is Telegram where he allegedly made the  
10 defamatory statements?

11          MR. BEAL: Yes, Your Honor, Telegram, yes. It is a  
12 totally encrypted end-to-end encryption. They brag on this  
13 handout that I'll give, Your Honor, that they have never  
14 produced any confidential -- any data in response to a  
15 subpoena worldwide.

16          THE COURT: Why? How? Because they don't have any  
17 because it passes through them encrypted?

18          MR. BEAL: Correct, Your Honor. And so if I set up a  
19 Telegram channel, I can give it subject to a subpoena, but  
20 Telegram can't come in and give you Beal's data --

21          THE COURT: Right. Okay.

22          MR. BEAL: -- because of the encryption and it says  
23 what can administrators do.

24          Can I approach, Your Honor?

25          THE COURT: Yes, of course.



1           So when you set up an account, you are your own  
2 administrator?

3           MR. BEAL: That's correct.

4           And we'll just have to read this one together.  
5 Sorry.

6           MR. HARRISON: No. No worries.

7           MR. BEAL: What can an administrator do? The owner  
8 of a channel can broadcast messages, delete any messages, add  
9 subscribers, remove subscribers, change the channel's name,  
10 profile, image and link as well as delete the channel  
11 completely. The owner can also add and remove administrators  
12 to help manage the channel.

13           What happens if I delete a message?

14           If a message is deleted in a channel, it will  
15 disappear for all subscribers.

16           And then the second document we have is the process  
17 by which they download all of the -- and this is why, you  
18 know, we kind of made a big deal out of it. And you'll see  
19 the highlighted portion there.

20           It says, Do you process data requests?

21           Secret chats use end-to-end encryption, thanks to  
22 which we don't have any data to disclose. To protect the data  
23 that is not covered by end-to-end encryption, Telegram uses a  
24 distributed infrastructure. File chat data is stored in  
25 multiple data centers around the globe that are controlled by

1 different legal entities spread across different  
2 jurisdictions. The relevant decryption keys are split into  
3 parts and are never kept in the same place as the data they  
4 protect.

5           As a result, several court orders from different  
6 jurisdictions are required to force us to give up any data.  
7 Thanks to this structure, we can ensure that no single  
8 government or block of like-minded countries can intrude on  
9 people's privacy and freedom of expression. Telegram can be  
10 forced to give up data only if an issue is grave and universal  
11 enough to pass the scrutiny of several different legal systems  
12 around the world. To this day, we have disclosed zero bytes  
13 of user data to third parties, including governments.

14           Then the last --

15           THE COURT: If I were a prosecutor, I would like that  
16 challenge. But I have no will and I think there is some  
17 saying about courts have no will in this regard, so I accept  
18 that that could not be done.

19           MR. HARRISON: Your Honor, whatever my client has the  
20 capability of producing, we will. I don't know if he's an  
21 owner and administrator, if that's separate, but we  
22 understand.

23           THE COURT: It sounds like you both agree that the  
24 defendant has to give whatever he can get, but it sounds like  
25 Mr. Beal has reason to believe that there is more that he can

1 get than just screenshots.

2 MR. BEAL: Yes, Your Honor.

3 THE COURT: And I think you ought to go and  
4 investigate that.

5 MR. HARRISON: We will, Your Honor, absolutely.

6 MR. BEAL: And these all just came from the Telegram  
7 website, so we just kind of did these Google-type searches.  
8 And this is the GEPR bot, and as it says here, what can this  
9 bot do? This bot can help you get a copy of your data that is  
10 stored by Telegram and contact us about privacy.

11 Welcome to Telegram's official GDPR bot. Please use  
12 one of the following commands. Leave a request for your  
13 Telegram data and account information.

14 And then it says on the next page, to download your  
15 data, at the bottom of the second page, please make sure that  
16 you have a Telegram desktop installed on your computer. Log  
17 in to the desktop and go to settings, advanced, export  
18 Telegram data, choose which kinds of data you would like to  
19 export, and press export. And so I opened up a Telegram  
20 account.

21 THE COURT: I was about to ask if anybody did that.

22 MR. BEAL: And did it. And even I was able to do it.  
23 Unfortunately, Linda Brown, my associate is not here today, so  
24 if I do it, I'll probably screw it up, but I have it on my  
25 iPad if Your Honor would like to see it. You just go to your

1 Telegram account, press a button, the bot shows up, says what  
2 do you want to do with this? You can contact us and talk to  
3 us or you can download your data.

4 And you say download the data, and it says do you  
5 have a place to store it? And the answer is yes. And then it  
6 takes everything from that channel and puts it in there.

7 So we ran a bunch of messages that just said test,  
8 test, test, and we downloaded them and so, you know, it took  
9 just a couple seconds. Now, obviously we didn't have much  
10 data in there, we just had a bunch of test things.

11 And interestingly, we got a request when we opened it  
12 to join various groups, two militia groups, so we haven't  
13 really activated the account beyond that initial time, and I  
14 think maybe it's a good idea if we don't do that.

15 But anyway, so we contend it's real simple and I'm  
16 sure Chris and I can work it out. But the idea that emails  
17 are not going to be in native format or these are not going to  
18 be in native format is going to be a problem, because all of  
19 the defamatory statements were made in electronic form.

20 There is a possibility we will discover at various  
21 press conferences that similar things were said, we believe  
22 that happened, but it's -- as you know, it's not a part of our  
23 complaint right now. That's why the electronic data has got  
24 to be downloaded.

25 THE COURT: Explain to me why the native format is

1 going to be a problem.

2 MR. BEAL: It's not.

3 THE COURT: Oh, okay.

4 MR. BEAL: But they have said it could be. And I  
5 realize that he's -- you know, that Chris wants to, you know,  
6 be circumspect, but at the same time, that is -- that is  
7 essential. And we know that at some point, the defense is  
8 going to be, oh, I didn't post this or somebody else posted  
9 it, so, you know, we need it to come right out of his channel.

10 THE COURT: Okay.

11 MR. BEAL: And I'm prepared to address the other  
12 issues, but --

13 THE COURT: Mr. Harrison, what do you say about this?  
14 I mean, it sounds like you agree, you ought to have to give  
15 it, if it's available.

16 MR. HARRISON: We agree, Your Honor, sure.

17 THE COURT: Okay. So I think you ought to, because  
18 this could become a problem, why don't you-all in the next  
19 week get together and see if this is available. Okay?

20 And let me know whether it is something that,  
21 Mr. Harrison, you believe is available. I'll give you seven  
22 days to let me know that what you-all believe could be done  
23 today can, in fact, be done or cannot be done, and if so, why  
24 it can't be done.

25 MR. HARRISON: Your Honor, just to clarify, meaning

1 if this GDPR bot works --

2 THE COURT: Yes.

3 MR. HARRISON: -- as advertised here --

4 THE COURT: Yes.

5 MR. HARRISON: -- with this account?

6 THE COURT: Yes. So I'd like you to just file  
7 something by this time -- or by the end of Wednesday next week  
8 letting me know that it was possible to do so. Okay?

9 MR. HARRISON: Yes, sir.

10 THE COURT: They've been requested by the plaintiff  
11 already?

12 MR. BEAL: Yes, Your Honor.

13 THE COURT: When is that discovery request subject to  
14 being responded to?

15 MR. HARRISON: We have it at the, I think, 27th of  
16 this month.

17 THE COURT: Okay.

18 MR. BEAL: That seems right.

19 THE COURT: So just let me know if there is some  
20 problem with doing the process and then you-all can continue  
21 with the discovery response in the ordinary course. But if  
22 there's some problem with the process, let's get together  
23 again and talk about what it is.

24 MR. HARRISON: Yes, Your Honor.

25 MR. BEAL: Thank you, Your Honor. I don't foresee a

1 problem, but...

2 MR. HARRISON: The only other thing I think,  
3 Your Honor, is the bigger issue of the discovery track, is  
4 primarily why we were here.

5 THE COURT: Okay.

6 MR. HARRISON: I think it's laid out in the joint  
7 report and the disclosures. I don't want to take too much of  
8 the Court's time. Of course I'll answer any questions that  
9 the Court has. But we do have a separate pending, and we  
10 contend related, suit in Superior Court Fulton County,  
11 Judge Glanville.

12 THE COURT: That's really just a contract claim,  
13 right?

14 MR. HARRISON: It is. It's a breach of contract  
15 fraud claim arising out of the party's prior business  
16 relationship. We -- our position, though, Your Honor, is that  
17 that's the genesis of the dispute and the alleged defamatory  
18 statements.

19 And, in fact, in the complaint here, I think the  
20 first 60 or 70 paragraphs reference that history, so we do not  
21 agree about the scope of this suit relative to that one, and  
22 so I think we're really just talking about what can be  
23 discovered and, in particular, some witnesses and those  
24 witnesses are listed in our disclosures.

25 THE COURT: So you-all want a four-month discovery

1 track; is that right?

2 MR. BEAL: Right. Yes, Your Honor.

3 THE COURT: And they want eight months?

4 MR. BEAL: And I don't see any reason beyond that.  
5 This is a straightforward defamation over a handful of posts  
6 that when we made a demand upon them, in writing to Alston &  
7 Bird, Mr. Wood's lawyers, not sent to anybody else, that that  
8 was somehow extortion. The law in Georgia is clear. It can't  
9 be extortion.

10 First of all, he didn't threaten anything else, it  
11 didn't say we're going to expose you, we're going to do  
12 anything else. It said we've been unable to resolve this,  
13 here's a copy of the complaint we're going to file. Look it  
14 over. If any part of this complaint's wrong, tell us about  
15 it, but this is what we contend happened and this is what you  
16 owe, and here's why there's additional damages, because of  
17 this additional contact -- conduct and additional expenses.

18 So the demand was for \$1.2 million, the underlying  
19 claim was between 800 and \$900,000 for damages under the  
20 contract.

21 And so Mr. Wood contended that that was extortion,  
22 said that my clients were extortionists. Then he went further  
23 and said they should be disbarred and lawyers who are  
24 committing criminal acts should not be allowed to practice.  
25 Then he encouraged his viewers all around the country to



1 somehow make bar complaints against them because they were  
2 lawyers engaging in criminal activity. That's what this case  
3 is about.

4           The underlying case, one or two sentences about  
5 background, Your Honor, Mr. Wood's behavior became  
6 increasingly -- and this is the line from the complaint --  
7 increasingly abusive and erratic, but that erratic behavior is  
8 used in the underlying case and in this case for one purpose  
9 only, to show malice, but it is not a cause of action in the  
10 underlying case. It is not part -- it does not give rise to a  
11 cause of action in this case. It shows malice, both  
12 constitutional and common law.

13           What we don't want to do is Judge Glanville has, for  
14 whatever reason, suspended hearings and we have about 30  
15 pending motions, there has been no activity in Fulton County,  
16 no rulings, even though we've had about six meetings. He has  
17 said I'm going to let everything be done in the Court of  
18 Appeals in the Georgia Supreme Court before I do anything.

19           And that relates to an additional claim we had that  
20 was enforcement of the nondisparagement clause. This all  
21 comes about out of a settlement agreement. And like so many  
22 settlement agreements, it said nondisparagement, and when he  
23 breached it, he started to disparage them, so we moved for an  
24 injunction in addition to the breach of contract, fraud, we  
25 moved for an injunction to stop the disparaging speech. Judge

1 Constance Russell granted that in November before she left the  
2 bench in December.

3           Mr. Wood took it up on appeal to the Georgia Court of  
4 Appeals. The Georgia Court of Appeals shifted it to the  
5 Supreme Court, because it was a constitutional question. The  
6 Supreme Court said this is not a constitutional question and  
7 we deny this referral, sent it back to the Court of Appeals.

8           The Court of Appeals issued a 20-page order saying  
9 this is just a nondisparagement clause. This doesn't have  
10 anything to do with the U.S. Constitution or the Georgia  
11 Constitution, forget about it. It's enforceable like the  
12 millions of others out there.

13           He then took that up to the Georgia Supreme Court and  
14 we assume that a ruling will come down at the end of this  
15 month. He has then said I'm going to take it to the  
16 U.S. Supreme Court, because, you know, it creates further  
17 delay.

18           So Judge Glanville hasn't done anything with the  
19 fraud or breach of contract case, it's just -- there was no  
20 answer to discovery, there were no answers to requests to  
21 admit, there was no answer to any of this, there was crazy  
22 behavior and so we filed motions, and the Judge hasn't ruled  
23 on any of that. So I bring all of that up to say I don't know  
24 that we should use this case to conduct discovery in that  
25 case.

1           The prior statements by Mr. Wood saying I'm going to  
2 kill you or I'm going to destroy you or you should be  
3 destroyed or you should be disbarred proved malice and they  
4 have a right to inquire about that. I understand.

5           But my clients did not initiate a bar complaint  
6 against him. My clients didn't have anything to do with his  
7 bar problems. And so all throughout this, he said, well, I  
8 want to get into the bar. I don't want to get into the bar.  
9 That's a government or quasi-governmental agency, it has  
10 nothing to do with us. We didn't initiate it and we don't  
11 prosecute it. And I don't know anything about it.

12           He has counsel, the bar has counsel, and they're  
13 involved in two really complex pieces of litigation that we  
14 aren't competent to testify about and shouldn't have to.

15           And I don't want to get into years of discovery of  
16 all kinds of people. And when Mr. Harrison says witnesses,  
17 the witness is -- one of the witnesses is me, because I signed  
18 the letter. The letter speaks for itself. I'm never going to  
19 testify about what my clients told me or any of that.

20           And nothing that Chris Marquardt at Alston & Bird  
21 told me is going to be relevant. They said the letter I sent  
22 was extortion. The letter speaks for itself. And Your Honor  
23 and I already went over this when we had our initial phone  
24 conversation, I don't think Chris Marquardt can be compelled  
25 or Joey Burby can be compelled to say anything because they

1 were representing their client.

2 THE COURT: Well, he could waive it and let them  
3 testify.

4 MR. HARRISON: Exactly.

5 THE COURT: Right?

6 MR. BEAL: Well, that's up to him, but --

7 THE COURT: Yes.

8 MR. BEAL: -- everything that I said was in my  
9 letter. I'm holding this up like it is my letter, it is not.  
10 But, you know --

11 THE COURT: I guess, though, the lawyers could say  
12 that you said something additive to your letter.

13 MR. BEAL: But he never did in any of the posts, he  
14 never referenced that.

15 THE COURT: Mr. Wood never did?

16 MR. BEAL: So it wouldn't be relevant now because he  
17 said the letter constitutes this and that's what we need to  
18 analyze.

19 And throughout the other litigation, Mr. Wood has  
20 constantly found ways to delay things. You know, I'm going to  
21 take this breach of -- this breach of the nondisparagement  
22 clause to the U.S. Supreme Court, and he's just building a  
23 couple of years of delay. He's done some outrageous things  
24 and he doesn't want to pay the piper, he doesn't want to go to  
25 trial.

1           And so by creating these huge expansive discovery  
2 requests and appeals, he's wasting time and buying time for  
3 himself, he gets a couple of years and he thinks everybody's  
4 going to be out of time and out of money and out of patience.

5           The reason I feel that way is that's specifically  
6 what he said on Telegram over and over and over again, these  
7 people will run out of money and time. And he insulted all of  
8 the judges. He insulted -- in the Fulton County case, he  
9 insulted and said that they were somehow criminals or part of  
10 some larger deep-state conspiracy in the Court of Appeals.

11           And so it is important -- I even have videos that he  
12 has recently posted about me saying that I'm actually a  
13 transgender lawyer misrepresenting myself as a male and I'm  
14 actually a female, and so the personal attacks continue and it  
15 has been probably good for --

16           THE COURT: None of that is really a basis for me to  
17 do anything.

18           MR. BEAL: Nothing. I'm just sort of giving you the  
19 color.

20           MR. HARRISON: May I respond?

21           THE COURT: You're just making your point as to why  
22 you want to move expeditiously and maybe drawing or maybe in  
23 some way raising a credibility issue as to their claim that  
24 they really need more time in order to do discovery.

25           MR. BEAL: Exactly, Your Honor.

1 THE COURT: Did you want to say anything about any of  
2 that?

3 MR. HARRISON: I did, Your Honor, briefly.

4 And I didn't realize we were giving closing  
5 arguments, or I would have prepared one.

6 But there are two things, Your Honor. Mr. Beal said  
7 the underlying actions and statements by Mr. Wood show malice.  
8 That is exactly what he's argued in this complaint, that's the  
9 subject of the Fulton County suit, and that's the reason why  
10 it's discoverable here. They want the Court to believe that  
11 this is just a very discrete lawsuit about 15 or 20 statements  
12 made in 2021. That was the reason we filed our 12(b)(6)  
13 motion.

14 THE COURT: I'm sorry. What are the underlying  
15 statements that show malice? Are they part of what's in the  
16 Telegraph -- is it Telegraph postings?

17 MR. BEAL: Telegram, Your Honor.

18 MR. HARRISON: Your Honor, they came out of the 2020  
19 fee disputes between these parties. The Telegram statements  
20 at issue here are 2021 only, correct?

21 MR. BEAL: Correct, that's 100 percent right.

22 MR. HARRISON: But, but he said a minute ago that  
23 they want to show these prior statements --

24 THE COURT: I see.

25 MR. HARRISON: -- to use as malice, so if that's the

1 case, then we believe those issues are discoverable, those two  
2 lawyers from A&B, perhaps this Kentucky lawyer who was  
3 involved in the fee dispute involving that client. We  
4 understand the Court wants to move expeditiously, and we're  
5 trying to already have depositions booked.

6 THE COURT: I didn't say that.

7 MR. HARRISON: Well --

8 THE COURT: I just want to move at the right pace.

9 MR. HARRISON: The other thing I would add,  
10 Your Honor, is -- and I don't want to get into the Fulton  
11 County suit. I'm not involved in that. Drew knows it much  
12 better than I do.

13 But the reason this action was filed is because that  
14 court won't do anything. It's been sitting. And so this was  
15 filed for the purpose of trying to get something moving, so if  
16 they're going to use prior statements that are not the subject  
17 of the 2021 Telegram statements to show malice in this action,  
18 we believe that an extended discovery period is necessary and  
19 the exclusion of those witnesses.

20 THE COURT: How many witnesses are there in that  
21 regard? Right now what I've heard is there are, what, three  
22 plaintiffs.

23 MR. HARRISON: Correct, Your Honor.

24 THE COURT: There's Mr. Wood.

25 MR. HARRISON: Yes, Your Honor.

1 THE COURT: There is let's say potentially the two  
2 lawyers -- you've identified three lawyers so far.

3 MR. HARRISON: Correct, Your Honor.

4 THE COURT: And whether or not they could actually  
5 provide any information, we don't know. Then who are the  
6 other witnesses?

7 MR. HARRISON: And I guess it would actually be four  
8 attorneys, you have Mr. Marquardt, Mr. Burby, Mr. Beal, and I  
9 know he's given his position on that and we won't be able to  
10 resolve that today.

11 THE COURT: Right. I didn't include Mr. Beal.

12 MR. HARRISON: And then Todd McMurtry, who is a  
13 Kentucky lawyer, who was involved in that fee dispute over the  
14 client in the 2020 action.

15 THE COURT: All right. And if we got into a lot of  
16 discovery about the prior statements in regards to malice, who  
17 are those witnesses?

18 MR. BEAL: It's just the same ones. Wood said it to  
19 my clients and my clients recorded it on their cell phone and  
20 he sent it by email, so we've got that.

21 And so, you know, he keeps saying he wanted to get  
22 into the state bar and talk to people at the state bar and  
23 I -- you know, I don't want to be involved in any part of  
24 that. I don't know what the state bar is doing or accusing  
25 him of or what the law is on it.



1 THE COURT: Even if he wanted to get into that, even  
2 if he wanted to -- do you want to bring the state bar issue  
3 this does? Your client want to?

4 MR. HARRISON: I don't intend to Your Honor. I don't  
5 intend to.

6 THE COURT: And so right now I've got nine witnesses.

7 MR. BEAL: And that's a stretch, Your Honor.

8 THE COURT: Why is there more than that?

9 MR. HARRISON: Why is there more than that?

10 THE COURT: Yes.

11 MR. HARRISON: There's several other folks listed,  
12 Your Honor. Three of them are Mr. Wood's children. My  
13 preference, if we're going to talk about that, my preference  
14 would be to do that with Your Honor in chambers. I don't  
15 think we necessarily need to for the purposes of today, but  
16 that would be my preference. They're listed on our list as  
17 folks my client believes are relevant to this action.

18 MR. BEAL: Your Honor, real briefly, Mr. Wood has  
19 continually felt when he entered his period of erratic  
20 behavior that somehow my clients were interfering with his  
21 relationship with his children, and nothing could be further  
22 from the truth.

23 We don't have anything to say about his kids or with  
24 his kids. One of his sons, his oldest son is a partner, I  
25 believe, with a large Texas firm and he litigated with

1 Mr. Wood in the famous Elon Musk trial, he was somehow -- had  
2 some part of that.

3 THE COURT: What's the famous Elon Musk trial, if it  
4 matters?

5 MR. HARRISON: It's a recent defamation trial.

6 MR. BEAL: The pedo boy trial, when he got into a  
7 fight with the --

8 THE COURT: The young men that were trapped in the  
9 cave?

10 MR. BEAL: Yes.

11 MR. HARRISON: Yes, sir.

12 MR. BEAL: And there was another scientist who had a  
13 different way to try to rescue children, and Mr. Wood insulted  
14 that guy on Twitter and said that he was a pedophile because  
15 he married his wife when she was under age or started dating  
16 her, and that wasn't true, and so there was a defamation case  
17 that came about.

18 And ultimately, at the end, the jury sided with  
19 Mr. Musk and said it was hyperbole and it was, you know --  
20 all's fair in love and war or something, and Mr. Wood did not  
21 recover in that case.

22 But that was sort of the beginning of the end, that  
23 was a very stressful trial, a lot of stuff was said on  
24 Telegram. Mr. Wood's son attended that trial. There were  
25 numerous heated physical exchanges between Mr. Wood and his

1 son. And apparently, at some point, Mr. Wood's son said I  
2 don't want you to come anywhere near my children, this is the  
3 end. Lin Wood's fight with his kids, I hope he works it out,  
4 but it's between him and his kids. It has nothing to do with  
5 us and I don't want to get into that because --

6 THE COURT: I can't imagine how that is relevant.

7 MR. BEAL: -- we don't have anything to do with that,  
8 we didn't -- Mr. Wood sent me emails, confidential emails he  
9 had with Dr. Phil, you know the guy from television who  
10 offered to mediate a dispute between Mr. Wood and his  
11 children, and this is before any of these problems came up.

12 And Mr. Wood got very angry at him and basically said  
13 butt out, get out of my life, so he's got some issues with his  
14 kids, and I'm sorry, but I don't want to litigate that.

15 MR. HARRISON: Your Honor, I think the focus should  
16 be --

17 THE COURT: I'm not even sure how we got to this  
18 issue.

19 MR. HARRISON: I'm not, either. I think we're way  
20 off track. I think the focus should be on the allegations of  
21 the complaint, a number of paragraphs, again, reference  
22 alleged statements made in 2020 that show malice and that they  
23 believe will show malice here. That's why those Alston & Bird  
24 lawyers are relevant and the attorney in Kentucky.

25 And so I just think it's going to take some time to

1 work through that and to get those depositions scheduled. I  
2 don't know that there is a tremendous amount of written  
3 discovery, necessarily, but getting these folks deposed or  
4 determining if they are willing to be deposed or not may take  
5 a little bit of time.

6 THE COURT: Okay. This does not seem to me to be a  
7 case with extensive discovery. You've identified a couple of  
8 maybe collateral, maybe relevant issues, prior statements,  
9 what's going on with the state bar, you say you don't --  
10 Mr. Harrison says he doesn't want to get into that, even,  
11 whatever the relevance of the children might be, some of all  
12 of that stuff, those three things might be relevant, some  
13 might not. But even if they are, they're pretty finite, it  
14 seems. None of those seem to be something that would take a  
15 long and drawn-out amount of discovery.

16 I'm going to put this on a four-month discovery  
17 track. I'm going to run it from today. That really is more  
18 than four months. If you go back to July 2nd, when I think  
19 the plaintiff believes it started to run, then it's more like  
20 five-plus months.

21 And if not, if you go to the other, it's just a  
22 little bit over four months, the date that I think the  
23 defendant was proposing to begin discovery, but I'm going to  
24 put it on a four-month discovery track because nothing that  
25 I've heard today makes me think this is going to be long or

1 drawn out in any way. During that four-month -- and also, I  
2 can always extend discovery if needed.

3           You will have, Mr. Harrison, the opportunity to do  
4 whatever discovery is necessary, but in looking at a discovery  
5 extension, I will then be able to determine whether it really  
6 is necessary, either because deposing the people you've  
7 identified or potentially identified as necessary or  
8 potentially necessary, we'll know whether there is any  
9 difficulty getting those depositions scheduled, we'll know  
10 whether there's any other problems with discovery at that  
11 point, and we can adjust then.

12           But in my experience so far, is that discovery works  
13 better when extensions are requested than when more time is  
14 given. If we do eight months, and then you need more time,  
15 that could happen as well. I'm not saying that right.

16           I suspect that everything could be done in eight  
17 months. I think everything can be done in four months, or I  
18 wouldn't have put it on a four-month track, but might we get  
19 to four months and add another four months, yes, we might, but  
20 then we'll know that it's necessary.

21           The discovery problems, in other words, typically in  
22 my experience seem to arise in the last quarter of the  
23 discovery period, no matter how long the discovery period is.  
24 And so to just pick eight months when there doesn't seem to be  
25 a basis for it now would be just to put off that serious

1 analysis. So I'm going to put this on a four-month track,  
2 starting today.

3 Which day would that make it end? That would make it  
4 end December 17th?

5 MR. HARRISON: Yes, Your Honor.

6 THE COURT: What day of the week is that?

7 COURTROOM DEPUTY: Saturday.

8 THE COURT: Saturday, so we'll make it the day  
9 before, December 16th of this year. If more time is needed,  
10 or is anticipated to be needed, any discovery extension needs  
11 to be requested 30 days before the end of discovery. That  
12 gives me time and you-all time to talk about what's actually  
13 needed and dial it in more precisely. It also gives me  
14 convenient time, which is otherwise you-all may file something  
15 three days before the end of discovery and then all of a  
16 sudden it's an emergency for me, whereas if you do it 30 days  
17 ahead of time, we can all get together and be thoughtful about  
18 extending it.

19 But with the caveat that, Mr. Harrison, your client  
20 will, of course, not be caught short and unable to do  
21 necessary discovery provided that he's working diligently now.  
22 But we will determine whether there is a need for more  
23 discovery when we have more details in front of us.

24 Okay?

25 Does that make sense to you both?

1 MR. BEAL: That's perfect, Your Honor. Thank you.

2 MR. HARRISON: Thank you, Your Honor.

3 THE COURT: Okay. And in the interim, you know we  
4 have a policy or a program in place for resolving discovery  
5 disputes. It's in my standing order. I don't remember all  
6 the details of it, but it's roughly this, when you all-have a  
7 discovery dispute, you get together and you send me a fairly  
8 short letter that outlines what the dispute is and then we  
9 will get together and we will resolve the dispute. That does  
10 it pretty quickly. If you give it to us, we can usually get  
11 back to you within a couple of days and tell you when we will  
12 have a chance to get together and address it. But that way we  
13 can work pretty quickly in that regard.

14 Okay?

15 MR. BEAL: Yes, Your Honor.

16 MR. HARRISON: Yes, Your Honor.

17 THE COURT: Anything else that you-all want to talk  
18 about? Any other adjustments you-all want to make or things  
19 that you see down field that we ought to talk about?

20 MR. BEAL: I don't think so, Your Honor. I think we  
21 addressed the -- I think Your Honor knows what our position is  
22 going to be on discovery, if he wants to inquire about  
23 statements that are referenced in the complaint, certainly, he  
24 has a right to do that. I just don't want to get into it, so  
25 I'll just be objecting to things --

1 THE COURT: What is it that you're afraid of, like  
2 where do you see the goalposts to be or the sidelines to be?

3 MR. BEAL: Our never-ending discussion about his  
4 relationship with his children. I mean, he left me --

5 THE COURT: Him discovering his own relationship or  
6 your client's understanding of that relationship?

7 MR. BEAL: Inquiring about my clients' understanding  
8 of his relationship in a way that there is no end to it.  
9 Issues that have nothing to do with the break-up of their  
10 partnership, the signing of the settlement agreement and the  
11 breach of the settlement agreement and his statements of  
12 criminality. That's really, to me -- and so since we don't  
13 have a discovery dispute, I think -- I think we're in good  
14 shape.

15 I don't ask Your Honor to give some kind of advanced  
16 ruling, because that would be too difficult. If there is a  
17 problem, we'll bring it to Your Honor, and it will be in black  
18 and white and Your Honor can then easily make a ruling, cut  
19 and --

20 THE COURT: Okay.

21 MR. BEAL: -- clean it up for us.

22 THE COURT: Okay. I think that's right.

23 Anything you want to say about that, Mr. Harrison?

24 MR. HARRISON: Nothing else. Thank you to the Court  
25 for hearing us. We appreciate it.



1           THE COURT: Okay. All right. Well, good luck to you  
2 both. And I will give these back to you, Mr. Beal.

3           MR. BEAL: Okay.

4           THE COURT: It's the Telegram information.

5           MR. BEAL: Thank you.

6           THE COURT: If you need them, because if it becomes  
7 an issue next week, we can get back together.

8           MR. BEAL: Thank you.

9           THE COURT: But talk next week and I want you to file  
10 something that lets me know this is something I need to worry  
11 about or something I don't need to worry about.

12          MR. HARRISON: Yes, Your Honor.

13          THE COURT: Because otherwise, I will continue to  
14 just sort of worry about it. Okay?

15          MR. BEAL: Right.

16          THE COURT: Okay. Thank you.

17          MR. BEAL: Thank you, Your Honor. I appreciate the  
18 hearing.

19          MR. HARRISON: Thank you, Your Honor.

20          THE COURT: You bet.

21

22                 (Whereupon, the proceedings were adjourned at 11:46  
23 a.m.)

24

25

## REPORTERS CERTIFICATE

I, Jana B. Colter, Official Court Reporter for the United States District Court for the Northern District of Georgia, with offices at Atlanta, do hereby certify:

That I reported on the Stenograph machine the proceedings held in open court on August 17, 2022, in the matter of *Nicole Jennings Wade, Jonathan D. Grunberg, G. Taylor Wilson v. L. Lin Wood*, Case Number 1:22-CV-01073-MLB; that said proceedings in connection with the hearing were reduced to typewritten form by me; and that the foregoing transcript (32 Pages) is a true and accurate record of the proceedings.

This the 26th day of October, 2022.

/s/ Jana B. Colter, FAPR, RDR, CRR, CRC  
Official Court Reporter